



**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 U.S.C. 1.137(a)**

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995 no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 C.F.R. 1.20(d)) of _____ for a small entity or _____ for other than a small entity) disclaiming the required period of time is enclosed herewith.

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1/24/2005
Date

503.227.5631

Telephone

Timothy A. Long
Signature

Timothy A. Long

Typed or printed name

Chernoff Vilhauer McClung & Stenzel L.L.P.
1600 ODS Tower
601 SW Second Avenue
Portland, OR 97214-3157

- Enclosures:
- ☒ Fee Payment
 - ☒ Reply plus copies of Transmittal Form and Return Receipt Postcard (9 sheets)
 - ☐ Terminal Disclaimer Form
 - ☒ Additional sheets containing statements establishing unavoidable delay.
 - ☒ Fee Transmittal (2)

CERTIFICATE OF TRANSMITTAL UNDER 37 CFR §§ 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being:

- ☒ deposited with the United States Postal Service in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
- ☒ with sufficient postage as first class mail
- ☐ as "Express Mail Post Office to Addressee" -
- ☐ transmitted by facsimile to the Patent and Trademark Office.

01/24/2005

Date

Timothy A. Long
Signature

Timothy A. Long

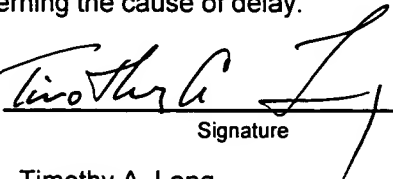
Name of person certifying (type or print)

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 U.S.C. 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

01/24/2005

Date


Signature

Timothy A. Long

Typed or printed name

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply. Please attach additional sheets if additional space is necessary.)

On December 6, 2004, the applicant's attorney received a Notice of Abandonment related to application serial number 09/687,727. According to the Notice, the application was abandoned for failure to timely file a proper reply to an Office letter mailed on 08 September 2003.

On September 16, 2003, the attached amendment to application 09/687,727 was filed electing Group I comprising claims 1-6 and 13-16 and cancelling, without prejudice, the claims of Group II (claims 7-12 and 17-18) as those groups of claims were defined in the Office letter of 08 September 2003. A copy of the transmittal, including a certificate of transmission/ mailing, dated September 16, 2003, and a postcard indicating that the amendment was received by the Patent and Trademark Office on September 22, 2003 are enclosed. The undersigned respectfully submits that the Amendment of September 16, 2003 was timely filed and responds fully to the Office letter of 08 September 2003. The applicant is unaware of any notice that the Amendment of September 16, 2003 was non-conforming.

The applicant submits that there was no delay as a timely response to the Office letter of 08 September 2003 was filed. The applicant respectfully requests withdrawal of the Notice of Abandonment and revival of the application.



Effective 12/08/2004
Fees pursuant to Consolidated Appropriations Act 2005 (HR 4818)

FEE TRANSMITTAL for FY 2005

Complete If Known

Application Number 09/687,727
Filing Date 12/08/2000
First Named Inventor Zeng
Examiner Name Wu, Jingge

RECEIVED

☐ Applicant claims small entity status. See 37CFR 1.27

Art Unit 2623

TOTAL AMOUNT OF PAYMENT \$500

Attorney Docket No. TAL:7146.089 FFB 01 2005

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):

☐ Deposit Account Deposit Account Number 03-1550 Deposit Account Name Chernoff, Vilhauer

For the above identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fees indicated below.

☐ Charge fee(s) indicated below, except for the filing fee.

☒ Charge any additional fee(s) or under payment of fees under 37 CFR 1.16 and 1.17

☒ Credit any overpayments

OFFICE OF PETITIONS

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

Small Entity	
Fee (\$)	Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent.	50
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent.	200
Multiple dependent claims	360

Total Claims - 20 * = 0 x 50 = 0

*20 or highest number of total claims paid for, if greater than 20

Multiple Dependent Claims
Fee(\$)
Fee Paid (\$)

Indep. Claims - 3 ** = 0 x 200 = 0

** 3 or the highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets - 100 = Extra Sheets / 50 = 0 (round up to a whole number) = 250

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Petition For Revival of Application Abandoned Unavoidably

Fees Paid (\$)
500

SUBMITTED BY

Complete (if applicable)

Signature Timothy A. Long Registration No. 28,876 Telephone (503) 227-5631
Name (print type) Timothy A. Long Date January 24, 2005

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450